

## **REMARKS**

### **Status of the Claims**

Claims 1-15 are pending in the present application. Claims 1, 2, and 4-7, are rejected. Claims 2, 3, 5, and 8-15 are objected to by the Examiner. Reconsideration and allowance of all of the pending claims is respectfully requested.

Claims 1-8, 10, and 12, are currently amended. Claims 1, 2, 4, 5, and 7, have been amended to further limit the definition of  $R_1$ . Claims 3 and 8 have been amended to be independent. The other claim amendments are editorial and are non-narrowing claims amendments. Accordingly, no new matter is being introduced into the application by way of this amendment. Entry of this amendment is respectfully requested.

### **Claim Objections**

At page 2 of the Office Action, claims 2 and 5 are objected to for failing to further limit the subject matter of a previous claim. For the following reasons, this objection is respectfully traversed.

Claims 1 and 4, as currently amended, no longer include the proviso that contained a reference to a primary alkyl group. Accordingly it is respectfully requested that this rejection be withdrawn.

### **Claim Rejections 35 U.S.C. §102/§103**

At page 3 of the Office Action, claims 2, 5, 6, and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Takeuchi et al. (EP 1246006). For the following reasons, this rejection is respectfully traversed.

The compounds of formulas I, IA, and IIA, are currently amended to include the limitations contained in formula (IB) of claim 3, which has been indicated as allowable by the Examiner. See page 5 of the Office Action. Accordingly, it is respectfully requested that this rejection be withdrawn.

At page 3 of the Office Action, claims 1 and 4 are rejected under 35 U.S.C. §103(a) as unpatentable over Takeuchi et al. (EP 1246006). For the following reasons, this rejection is respectfully traversed.

Claims 1 and 4, as currently amended, include the limitations of formula (IB) of claim 3, which has been indicated as allowable by the Examiner at page 5 of the Office Action. Accordingly it is respectfully asserted that this rejection should now be withdrawn.

### **Conclusion**

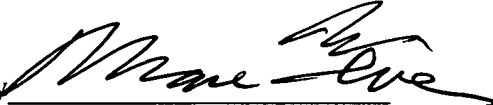
It is respectfully asserted that all of the claims are presently in a condition for allowance. Entry of the above amendments is earnestly solicited. An early and favorable action on the merits is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$1020.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: September 22, 2005

Respectfully submitted,

By 

Marc S. Weiner  
Registration No.: 32,181  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

*l.m.k.*